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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

63365-010100

First named inventor: Megan Tobin

Application No.: 10/613,707

Art Unit: 3712

Filed: July 3, 2003

Examiner: Jamila O. Williams

Title: CONFIGURATION TOY AND ITEM OF WEARING APPAREL

Date: 05/08/2007 CKHLOK  
AWONDAF1 00000017 501561 10613707  
685.00 CRAttention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☒ Small entity-fee \$ 685.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in  
the form of Statutory Declaration (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to  
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any  
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,  
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 55.00 for a small entity or \$ 110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c); subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Eugene C. Rzucidlo  
Signature

December 1, 2004  
Date

Eugene C. Rzucidlo  
Typed or printed name

31,900  
Registration Number, if applicable

Greenberg Traurig, LLP, 200 Park Avenue, New York, New York 10166  
Address

(212) 801-2146  
Telephone Number

Address

Telephone Number

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

1  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name of person signing certificate



Attorney Docket No. 63365-010100

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Megan Tobin  
Serial No. : 10/613,707  
Filing Date : July 3, 2003  
Group Art Unit: 3712  
Examiner : Jamila O. Williams

For: CONFIGURATION TOY AND ITEM OF WEARING APPAREL

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-145

**PETITION TO REVIVE AN ABANDONED PATENT APPLICATION**  
**UNDER CFR 1.137(b)**

Sir:

Applicant respectfully requests that the above-referenced patent application be revived for reason that no Office Action mailed March 22, 2004 was received by the undersigned attorney for the applicant.

A Statutory Declaration by Ms. Leticia L. Gerona-Ivey, with Annexes, is enclosed.

The Commissioner is hereby authorized to charge the fee of \$685.00 and any other fee due for this Petition to Deposit Account No. 50-1561.

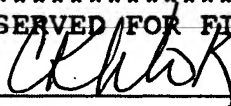
Favorable action is respectfully requested.

Respectfully submitted,

Eugene C. Rzucidlo  
Attorney for Applicant  
Reg. No. 31,900  
Customer No. 32361

Dated: December 1, 2004

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 06/04/07		2 Serial/Patent # 10/613,707		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time (2253)			\$
	Notice of Appeal/Appeal			\$
X	Petition (2453)		12/03/04	\$ 685.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	\$ 685.00
10 REASON:		8 TO BE REFUNDED BY:		
	Overpayment	Treasury Check		
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			6	1
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Charlema Grant		TITLE: Atty		
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